



REGISTRAR OF REGULATIONS

07 MAR -6 PM 2:09

COMMONWEALTH of VIRGINIA

Department of Health DIVISION OF SHELLFISH SANITATION

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NOTICE AND DESCRIPTION OF SHELLFISH AREA CONDEMNATION NUMBER 009-161, CUBITT AND HACK CREEKS

EFFECTIVE 14 MARCH 2007

Pursuant to Title 28.2, Chapter 8, §§28.2-803 through 28.2-808, §32.1-20, and §9-6.14:4.1, B.16 of the *Code of Virginia*:

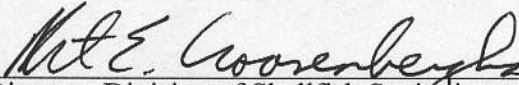
1. The "Notice and Description of Shellfish Area Condemnation Number 161, Potomac River: Hack Creek," effective 27 April 1989, is cancelled effective 14 March 2007.
2. The "Notice and Description of Shellfish Area Condemnation Number 168, Potomac River: Cubitt Creek," effective 27 April 1989, is cancelled effective 14 March 2007.
3. Condemned Shellfish Area Number 009-161, shown as Sections A, B and C, is established, effective 14 March 2007. It shall be unlawful for any person, firm, or corporation to take shellfish from these areas for any purpose, except by permit granted by the Marine Resources Commission, as provided in Section 28.2-810 of the *Code of Virginia*. The boundaries of these areas are shown on the map titled "Hack and Cubitt Creeks, Condemned Shellfish Area Number 009-161, 14 March 2007" which is part of this notice.
4. The Department of Health will receive, consider and respond to petitions by any interested person at any time with respect to reconsideration or revision of this order.

BOUNDARIES OF CONDEMNED AREA NUMBER 009-161

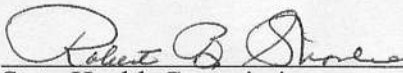
- A. The condemned area shall include all of Cubitt Creek and its tributaries lying upstream of a line drawn between latitude/longitude map coordinate (37°56'53.9", -76°20'56.4") and map coordinate (37°56'53.8", -76°20'55.9").
- B. The condemned area shall include all of Hack Creek and its tributaries lying upstream of a line drawn between latitude/longitude map coordinate (37°56'01.4", -76°18'53.8") and map coordinate (37°56'01.3", -76°18'53.4").

- C. The condemned area shall include all of Flag Pond and its tributaries lying upstream of a line drawn between latitude/longitude map coordinate (37°55'37.1", -76°18'01.5") and map coordinate (37°55'36.6", -76°18'00.9").

Recommended by:

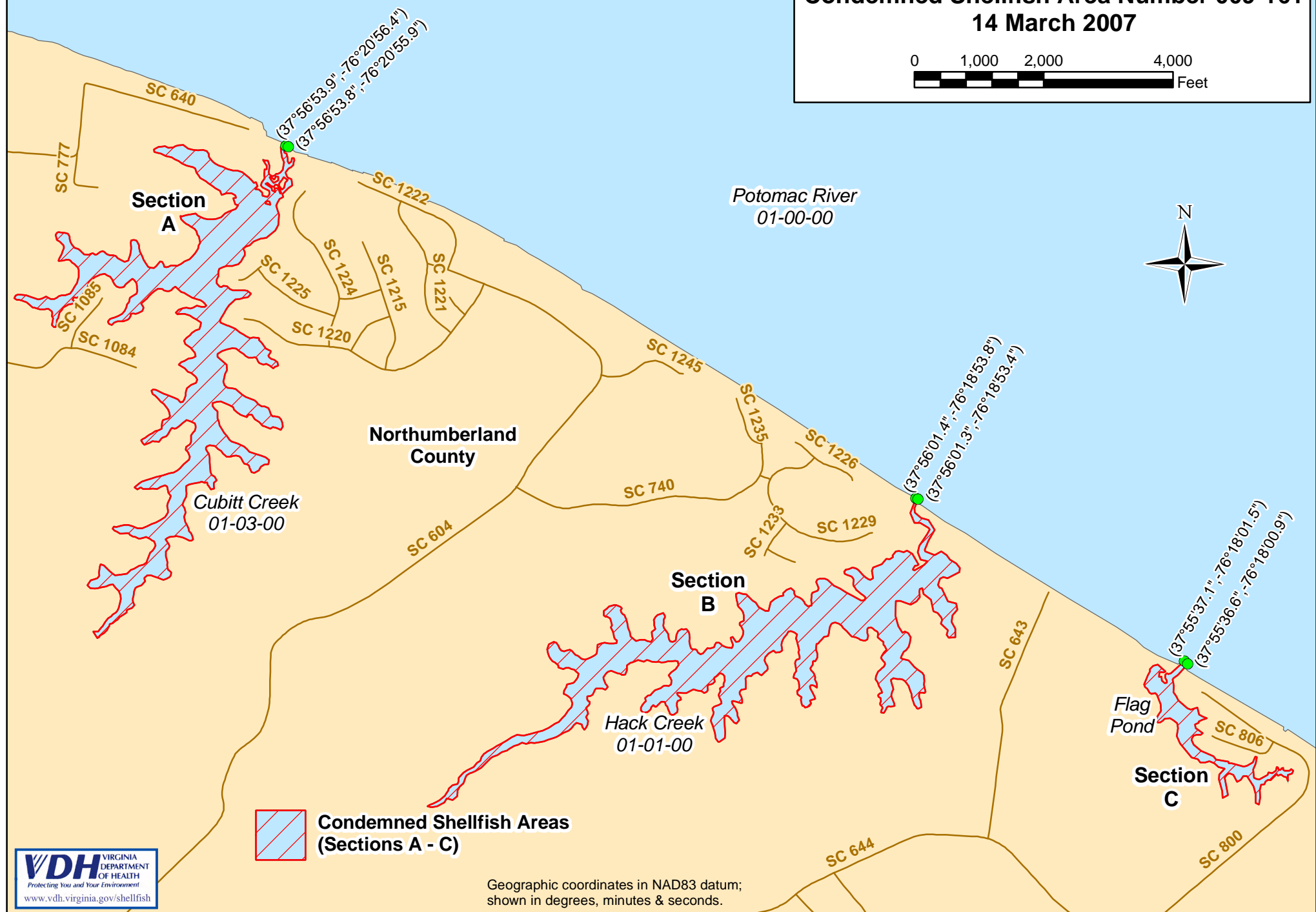
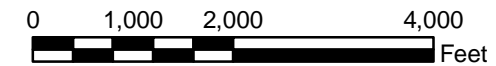

Director, Division of Shellfish Sanitation


Ordered by:


State Health Commissioner

03/05/2007
Date

Virginia Department of Health
Cubitt and Hack Creeks
Condemned Shellfish Area Number 009-161
14 March 2007



 **Condemned Shellfish Areas**
(Sections A - C)